REMARKS

Claims 1-29 will be pending upon entry of the present amendment. Claims 1, 9, 10 and 21 are amended and new claims 25-29 are submitted herewith. No new matter has been added to the application.

Claim 1 has been amended to clarify that the first comparison means supplies a selected logic value when any of the acceleration signals is greater than a respective upper threshold, meaning that the claim will not read, for example, on a device in which a comparison means supplies a pre-determined logic value only when a particular one of a plurality of acceleration signals is greater than an upper threshold. However, the amendment to claim 1 is not to be construed as limiting the claim to exclude devices that also supply a selected logic value when more than one acceleration signal is greater than a respective upper threshold. The amendments to claims 9 and 10 are made for similar reasons.

Summary of Rejections Under 35 U.S.C. §§ 102 and 103

Claims 1, 4, 9-11, 13, 14, 18, 21, and 22 are rejected under 35 U.S.C. §102(b) as being anticipated by Jeenicke et al. (U.S. Patent 5,788,273, hereafter *Jeenicke*); claims 2 and 3 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jeenicke, in view of Woehrl et al. (U.S. Patent 4,836,024, hereafter *Woehrl*); claims 5, 12, and 17 are rejected under 35 U.S.C. §103(a) as being unpatentable over; claims 6-8, and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jeenicke, in view of Oguchi et al. (U.S. Patent Application Publication No. 2002/0033047, hereafter *Oguchi*); and claims 15, 19, and 20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jeenicke, in view of Ishiyama et al. (U.S. Patent 6,738,214, hereafter *Ishiyama*).

In the responses that follow, when citing to a specific passage of a U.S. patent, a column number will be separated from a line number by a colon, e.g., 4:22, indicating column 4, line 22. Paragraph and line numbers of U.S. patent applications will be cited to in similar fashion.

Response to Rejections Under 35 U.S.C. §§102 & 103

Jeenicke fails to anticipate "first comparison means, connected to said transduction means and supplying a pre-determined logic value when any of said acceleration signals is greater than a respective upper threshold," as recited in claim 1. The Office Action points to Jeenicke's longitudinal and transverse sensors 10, 12 as corresponding to the inertial sensors of claim 1. However, in order to anticipate claim 1, Jeenicke would need to provide an activation signal when either of these sensors produces a signal that exceeds a respective threshold while the other sensor does not produce a significant signal. Jeenicke fails to do this. While Jeenicke does provide an activation signal when only its longitudinal sensor produces a signal that exceeds a threshold (*see Jeenicke*, 2:8-12 and 4:1-4), it does not provide an activation signal when only the transverse sensor produces a signal, of whatever value (*see Id.*, 4:37-39). Thus, Jeenicke fails to anticipate at least the cited limitation of claim 1. None of the references cited in combination with Jeenicke to reject dependent claims under § 103 can provide the teaching that Jeenicke lacks. More significantly, Jeenicke teaches away from providing an activation signal in response to a purely transverse acceleration, stating, with regard to side impacts, "[s]uch an impact has the characteristic of a large transverse signal. No tripping of the safety system is desirable or required in such an impact." (*See Id.*, 4:37-39.) Thus, Jeenicke cannot be combined with another reference that teaches a response to a transverse signal, for the purpose of rejecting claim 1 as obvious under § 103. Accordingly, claim 1 is allowable over the prior art references of record, individually or in any motivated combination.

Claim 9 recites, in part, "first comparison means, connected to said transduction means and supplying a pre-determined logic value when any of said acceleration signals is greater than a respective upper threshold." This limitation of claim 9 is substantially identical to the limitation of claim 1 cited above. It has been demonstrated that Jeenicke fails to anticipate that limitation, so claim 9 is allowable on the same basis.

While the language and scopes of claims 10, 13, and 21 differ from each other and from that of claim 1, the arguments put forth for the allowability of claim 1 are equally applicable for the allowability of these other independent claims. Claims 10, 13, and 21 are clearly allowable over Jeenicke, as well as the remaining art of record.

Newly Added Claims

New claim 25 recites, "[t]he device according to claim 1 wherein the first comparison means supply the selected logic value when the absolute value of a first one of said acceleration signals is greater than the respective upper threshold and when the absolute value of a second one of said acceleration signals is greater than the respective upper threshold, and the second comparison means supply the selected logic value when the absolute value of any two of said acceleration signals are each greater than the respective lower thresholds." (Emphasis added.) Most of the prior art cited in rejecting the claims of the present application is directed to vehicle impact sensor systems and the like. In such systems, a rear impact will generate a signal that has an opposite polarity from the signal produced in response to a front impact. Where the prior art addresses the issue, it is clear that the systems are configured to differentiate between front and rear impacts so as to prevent activation of the airbags in response to a rear impact (see, for example, *Jeenicke*, 4:31-36 and *Woehrl*, 3:18-23). If such systems were configured to respond to an absolute value of the sensor signal, i.e., stripped of indications of polarity, the systems would be incapable of differentiating between front and rear impacts, and so would not function properly. Thus, none of the art of record teaches or suggests the limitation of claim 25, which is therefore allowable on its own merits, apart from its allowability as depending from an allowable base claim. Likewise, claims 26-29 are also allowable over the art of record.

Support for the subject matter of new claims 25-29 may be found in the specification at, for example, page 8, lines 13-23.

Conclusion

Overall, the cited references do not singly, or in any motivated combination, teach or suggest the claimed features of the embodiments recited in independent claims 1, 9, 10, 13, or 21, and thus such claims are allowable. Applicants' decision not to argue the allowability of each of the dependent claims is not to be construed as an admission that such claims would not be allowable but for their dependence on allowable base claims, and Applicants reserve the right to present such arguments as may become necessary in the future. If the undersigned

representative has overlooked a relevant teaching in any of the references, the Examiner is requested to point out specifically where such teaching may be found.

In light of the above amendments and remarks, Applicants respectfully submit that all pending claims are allowable, and therefore respectfully request that the Examiner reconsider this application and timely allow all pending claims. Examiner Amrany is encouraged to contact Mr. Bennett by telephone at (206) 694-4848 to discuss the above and any other distinctions between the claims and the applied references, if desired. If the Examiner notes any informalities in the claims, he is encouraged to contact Mr. Bennett by telephone to expeditiously correct such informalities.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC

/Harold H. Bennett II/

Harold H. Bennett II
Registration No. 52,404

HHB:lcs

701 Fifth Avenue, Suite 5400
Seattle, Washington 98104
Phone: (206) 622-4900
Fax: (206) 682-6031

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